

MHAU030118582026



ORDER BELOW EXH. 1 IN CRI. M. A. No.1731/2026

**Muthoot Homefin (India) Limited Vs. Mahadev Motinath Ghorpade
and others**

- 1) The applicant Muthoot Homefin (India) Limited has filed this application for seeking assistance for taking possession as per section 14 of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (the said Act).
- 2) The non-applicants had approached the applicant for loan. Accordingly, applicant sanctioned home loan of Rs.6,77,549/- & top up loan of Rs.3,14,568/-. Thereafter, necessary documents were executed. The non-applicants had executed mortgage deed of the property mentioned in the prayer clause (1) of the application as security for the said loan transaction. Therefore, the applicant is a secured creditor. It is the claim of the applicant that the non-applicants did not maintain the account properly and therefore, their account was declared as NPA on 09.01.2026.
- 3) It is further claim of the applicant that, it issued demand notice dated 28.02.2026 under Section 13(2) of the said Act to the non applicants, demanding outstanding amount Rs.4,04,381/- & Rs.3,05,017/- along with further interests till realization. The Notice was served upon non applicants by publishing News paper publication in two leading English news papers namely Indian Express and Loksatta on 19.03.2026. Despite the service of notice, the non applicants failed

to pay the amount as per the demand notice as well as failed to file any objection. Therefore, the applicant initiated further measures under Section 13(4) of the said Act. Therefore, there is no impediment in granting the necessary assistance to the applicant in taking possession of the secured asset as per section 14 of the said Act. Hence, I proceed to pass following order;

ORDER

- 1) The application is allowed.
- 2) The applicant to take possession of property – i.e., all that piece and parcel of property Milkat No.3822, R H No. A-06, Gut No.54, admeasuring area 325 Sq.Feet, in Mathuranagar Part-2, situated at Mauje Kamlapur, Ta. Gangapur, Dist. Chhatrapati Sambhajinagar, by taking such steps and using such force as may be legally necessary.
- 3) The Court Commissioner Adv. Onkar V. Patil is hereby appointed to take and assist to take possession of the mortgage property to applicant. The Court Commissioner shall take the possession of the mortgage property by taking all appropriate steps, if the mortgage property is locked, then by breaking the lock by following procedure.
- 4) The Officer in charge of the concerned Police Station, within whose jurisdiction the property is situated, is directed to provide necessary police protection for the execution of the aforesaid possession warrant, at the cost of the applicant.
- 5) The applicant shall have to bear the requisite Court Commissioner fees i.e. Rs.5,000/- as per rule.
- 6) Issue writ accordingly.

(R. S. Jambotkar)

Date:- 09.06.2026

Additional Chief Judicial Magistrate
Aurangabad

C E R T I F I C A T E

I am affirm that the contents of this P.D.F, file Order are same, word to word, as per the original Order:-

Name of the Stenographer	:-	Varsha Ajit Andurkar
Court	:-	Shri. R. S. Jambotkar, Jt. Civil Judge (S.D.) & Addl. Chief Judicial Magistrate, Aurangabad.
Date	:-	09.06.2026
Order signed by the presiding officer on	:-	09.06.2026
Order uploaded on	:-	09.06.2026